

PATENT COOPERATION TREATY

DUE DATE

26 / 2 / 06

ENTERED

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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16 FEB 2006

RECEIVED

PCT

WRITTEN OPINION

(PCT Rule 66)

Date of mailing
(day/month/year) 26 January 2006 (26.01.2006)

Applicant's or agent's file reference

FP1897

REPLY DUE

within 1 months/days from
the above date of mailing

International application No.
PCT/SG 2003/000235

International filing date (day/month/year)
1 October 2003 (01.10.2003)

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC
IPC⁸: G06F 17/24 (2006.01); G06F 17/22 (2006.01)

Applicant
VIBRASOFT PTE. LTD.

1. This written opinion is the (first, etc.) drawn by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

I. ☒ Basis of the opinion

II. ☐ Priority

III. ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

IV. ☐ Lack of unity of invention

V. ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

VI. ☐ Certain documents cited

VII. ☐ Certain defects in the international application

VIII. ☐ Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 01.02.2006.

Name and mailing address of the IPEA/AT
Austrian Patent Office
Dresdner Straße 87, A-1200 Vienna

Authorized officer

SCHLECHTER B.

Facsimile No. 1/53424/200

Telephone No. 1/53424/448

Form PCT/IPEA/408 (cover sheet) (July 1998)

WRITTEN OPINION

International application No.
PCT/SG 2003/000235

I. Basis of the opinion

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☐ the description:

pages , as originally filed
pages , filed with the demand
pages , filed with the letter of

☐ the claims:

pages , as originally filed
pages , as amended (together with any statement) under Article 19
pages , filed with the demand
pages , filed with the letter of

☐ the drawings:

pages , as originally filed
pages , filed with the demand
pages , filed with the letter of

☐ the sequence listing part of the description:

pages , as originally filed
pages , filed with the demand
pages , filed with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

☐ contained in the international application in printed form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/fig

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as „originally filed“.

WRITTEN OPINION

International application No.
PCT/SG 2003/000235

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:
- ☐ the entire international application,
- ☐ claims Nos.
- because:
- ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for said claims Nos.

2. A written opinion cannot be drawn due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:
- ☐ the written form has not been furnished or does not comply with the standard.
- ☐ the computer readable form has not been furnished or does not comply with the standard.

WRITTEN OPINION

International application No.
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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
1. Statement	Novelty (N)	Claims ----	YES
		Claims 1-40	NO
	Inventive step (IS)	Claims ----	YES
		Claims 1-40	NO
	Industrial applicability (IA)	Claims 1-40	YES
		Claims ----	NO
Citations and explanations			
<p>The following documents have been cited in the Search Report:</p> <p>D1: US 2003149935 A1</p> <p>D2: McKelvie, D., A. Isard, A. Mengel, M.B. Møller, M. Grosse "The MATE Workbench - an annotation tool for XML coded speech corpora", Speech Communication 33 (1-2) (2001) pp 97-112. Special Issue "Speech Annotation and Corpus Tools". (http://citeseer.ist.psu.edu/290011.html)</p> <p>D3: Ashvil, "Can XSLT be bi-directional?", [2000-07-02], Retrieved from the Internet (retrieved on 2005-12-20), http://www.stylusstudio.com/xmldev/200007/post90030.html</p> <p>D4: US 2004044965 A1</p> <p>The present application claims a method of propagating changes made to parts of a transformed version of a document back to the corresponding parts of the source document. In order to know which parts of a transformed document correspond to which parts of a source document, unique identifiers are generated and added to source documents before carrying out transformations. Transformations preserve these ids allowing back propagation of changes.</p> <p>D1 describes a document authoring system using techniques essentially identical to those in the present application, as can be extracted from the following paragraphs: [0115] "In response to a request from the client terminal, the data of XML format is converted into the HTML format and sent out from the server 12. The XSLT is used to convert the XML into HTML. At this XSLT conversion time, the individual identification numbers are given to the clickable information..." [0209] "The data on the browser is synchronized with the data of the server by the identification number. ..."</p>			

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Box V (page 2)

Extended XSLT XML tree ---> XHTML tree ---> (Users edit ---> XML tree
(with information for reverse transformation) data only no tree manipulation is allowed) (with updated data)

D4 describes an identical editing system for XML documents using node ids (see especially fig. 7) but was published after the application date of the present application.

Thus, the claimed subject matter exhibits neither novelty nor inventiveness over the cited documents.

Furthermore, several claims are found either not statutory according to PCT-Rules or contradicting in view of the disclosure of the description:

Claims of the kind "A method X wherein Y" plus "A method X wherein not Y" do not contribute to the inventive character of the claimed method. More generally, enumerating all or most possibilities for a feature in a claim basically means, that any possibility is fine and that there is no special contribution to the state of the art in the way the choice is made. See claims 3 and 4 of the present application for an example.

An aggregation of well-known features does not represent an inventive step unless the overall effect is surprising or more than the sum of the effects of the constituent features. For example using thin or fat clients as mentioned in claims 30 and 31 is independent of the identification and transformation processes described. Almost any system can be decomposed as a client-server system with thin or fat clients and the decomposition in the claims do not produce any effects that one wouldn't expect of typical client-server systems.

Industrial standards cannot be claimed in patents (see claims 32 – 34). Standards are suggestions for agreements between two or more parties to comply with certain specifications and may be proposed by organizations like the ISO.

The present description says that no reverse transformation is necessary for using the present method. Fig. 5 shows such a reverse transformation between the steps 54 and 55, <Telmt> being transformed back to <elmt/>.

The method described in the application doesn't work for all transformations. Transformations must satisfy certain criteria in order to be usable with the method. These criteria are not mentioned in the application. For example, non-injective mappings, "joins", and transformations with aggregation functions cannot be used.

Industrial applicability is given.